

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,  
Plaintiff,

Case No. 1:08-cv-00426-CL

v.

EUGENE "GINO" CASTERNOVIA, et al.  
Defendants.

**ORDER**

---

**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Report and Recommendation, this court reviews that portion of the Magistrate Judge's report de novo. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981). Here, defendant Robert Pendell has filed objections, so I have reviewed this matter de novo.

I have carefully considered Pendell's Objections and conclude there is no reason to modify the Report and Recommendation. I ADOPT the Report and Recommendation.

**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#193) is adopted. Pendell's motion for judgment on the pleadings (#167) is denied. The United States' motion for summary judgment against Pendell (#178) is granted. This court will issue a permanent injunction in accord with the Report and Recommendation.

IT IS SO ORDERED.

DATED this 30 day of September, 2011.

A handwritten signature in black ink, appearing to read "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE